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Slade R. Metcalf (SM 8360) Jason P. Conti (JC 0581) Hogan & Hartson LLP 875 Third Avenue New York, NY 10022 Telephone: (212) 918-3000 Facsimile: (212) 918-3100 Attorneys for Defendant Twentieth Century Fox Film Corporation

ELECTRONICALLY FILED DATE FILED:

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

**FELIX CEDENO** 

Plaintiff,

Case No.: 07 CIV 7251 (LAP)

USDC SDNY

20TH CENTURY FOX FILM CORP., ONE AMERICA PRODUCTIONS INC. AND LARRY CHARLES

Defendants.

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff Felix Cedeno ("Plaintiff") and defendant Twentieth Century Fox Film Corporation ("Fox"), through their undersigned attorneys, that:

- On July 2, 2007, Plaintiff filed his complaint (the "Complaint") in the Supreme Court of the State of New York, County of Bronx.
- Fox removed this action to this Court on August 14, 2007 based on the complete diversity of the citizenship of the parties.
- In a letter dated August 17, 2007, Fox's counsel requested a pre-motion conference regarding Fox's proposed motion for a more definite statement pursuant to Rule 12(e) of the Federal Rules of Civil Procedure. The Court endorsed the letter, requiring Plaintiff to respond to the request promptly, and extended Fox's time to respond to the Complaint sine die.

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- 4. Plaintiff thereafter agreed to serve and file an amended complaint, and Fox therefore withdrew its motion for a more definite statement.
- 5. On September 21, 2007, counsel for Fox accepted electronic service of the amended complaint (the "Amended Complaint") on behalf of Fox. Fox is currently required to answer, move or otherwise respond to the Amended Complaint on or before October 5, 2007. Fox is the only served defendant in this action.
- 6. Pursuant to an agreement by the parties, Fox shall now have until, and including, October 12, 2007 to answer, move or otherwise respond to the Amended Complaint.
- No other extensions of time have been requested or granted in this matter regarding Fox's time to respond to the Amended Complaint.
- A facsimile copy of the signature page of this stipulation is deemed as an original for purposes of filing and judicial endorsement.

Brian J. Daly (BD 4574) HAWKINS FERETIC & DALY, LLC 11 Broadway - 3rd Floor New York, New York 10004 (212) 530-3900 Attorney for Plaintiff Felix Cedeno

IT IS SO ORDERED:

Jason P. Conti (JC 0581)

/HOGAN & HARTSON LLP

875 Third Avenue New York, NY 10022

(212) 918-3000

Astorneys for Defendant Twensieth Century Fox Film Corporation

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